

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARK BEER,**

Plaintiff,

v.

**ADVANCED AUTO PARTS, INC.,**

Defendant.

**CIVIL ACTION**

**NO. 5:19-cv-05939-KSM**

**ORDER**

**AND NOW**, this 13th day of November, 2020, upon consideration of Defendant's Partial Motion to Dismiss (Doc. No. 18), Plaintiff's Opposition thereto (Doc. No. 19), and Defendant's Reply (Doc. No. 20), it is **ORDERED** as follows:

1. Defendant's Motion is **DENIED** for the reasons set forth in the accompanying memorandum.
2. Defendant shall answer Plaintiff's Amended Complaint on or before **December 1, 2020**.

**IT IS SO ORDERED**

*/s/ Karen Spencer Marston*

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KAREN SPENCER MARSTON, J.